

ARIZONA'S CHILDREN ASSOCIATION PRIVATE
Client Rights
And
Client Grievance Procedure
For Clinical and Out of Home Services

All individual clients and their families have the right to receive this statement in their primary language, have it fully explained to them and to receive assistance in the use of grievance procedures when requested. Additional assistance will be obtained, as needed, for the hearing or visually impaired, through community affiliations. Clients who need an advocate in order to understand, protect or exercise their rights may select an advocate and they also have the right to due process and to provide their own legal counsel.

The Arizona's Children Association (AzCA) accepts clients who can utilize and benefit from the services regardless of race, age, religion, gender, marital status, sexual orientation, national origin or handicapping condition. All clients and their families will be treated with dignity, courtesy, respect for their cultural, psychosocial, spiritual and personal values, beliefs and preferences and their right to self-determination.

No client shall be prevented or impeded from exercising their civil rights unless adjudicated incompetent or a court of competent jurisdiction determines the client is unable to exercise a specific right or category of rights.

Clients may grieve dissatisfaction with the care, treatment or services they receive from the agency, fees charged for services, involuntary discharge or other displeasures. AzCA will not discharge nor discriminate, in any way, against any client by whom, or on whose behalf, a complaint has been submitted or who has participated in a complaint investigation process.

*Clients have the right to privacy which includes the right to expect that all information pertaining to them and their treatment, care and services will be treated with confidentiality, except where required by law. Clients are allowed access to their own record and may request amendment, obtain copies and receive an accounting of disclosures regarding his or her own clinical/service information as permitted by applicable law and administrative code.

*Clients will be informed, in advance except for behavioral health crisis situations, of charges for service, itemized when possible, refund policies and procedures, consequences of nonpayment, and the limitations, if any, placed on the duration of service by outside funding sources.

* Clients have the right to informed participation in decisions regarding treatment, care and services. Clients, or in the case of minors, their parents or legal guardians, have the right to refuse any or all services offered by AzCA, or to withdraw general or informed consent, except as allowed by state law or administrative code. In turn, AzCA has the right to discharge any client upon reasonable notice when it is determined by AzCA that they are no longer able to effectively provide a treatment program and/or the client's conduct places the safety of self or others in jeopardy. Any additional program-specific behavioral expectations will be provided.

*Clients shall clearly understand the relationship between AzCA and other agencies involved, including a referring agency, the respective roles and responsibilities of the agencies involved; and, who has ultimate responsibility for the decisions when court referrals are involved.

*Clients have the right to know the identity and professional status of persons primarily responsible and those who will provide their treatment, care or services; and, notice of and reason for any proposed changes. Staff and services are available Monday through Friday, 8am to 5pm. After hours services are available for various programs.

* Clients have the right to be informed when audio or video recording will be used in the treatment process, including how and for what purpose such recordings will be used, and how and when such recordings will be destroyed. Clients must provide written consent and may rescind this consent for recordings or filming used by the agency in any internal or external way except with regard to Title 9, Health Services, Chapter 20-602 (A) (5).

*Clients have the right to refuse to participate in research projects or to make public statements on behalf of the agency or perform at public gatherings.

*Clients have the right to feel safe and be free from abuse, neglect, harassment, exploitation, coercion and manipulation.

*Clients have the right to a smoke free environment as stated in AzCA policies.

TREATMENT:

*Clients have the right to receive treatment that supports and respects their individuality, choices, strengths and abilities; supports their personal liberty, is provided in the least restrictive environment that meets their treatment needs and only restricts their personal liberty according to a court order; by the client's general consent or as permitted in Title 9. Health Services, Chapter 20.DBHS

* All clients will be given a clear, concise explanation of their situation, proposed interventions, treatment, care, services and medications as well as the corresponding potential benefits, risks and side effects related to the proposed treatment, recovery or family reunification. Information will also be given regarding the likelihood of success and any significant alternative medications, treatments care or services or interventions.

*All clients will receive treatment in accordance with an individual treatment plan in which they and their parent or legal guardian have input. Children in foster care have the right for their families of origin to be included in the development of the treatment plan unless otherwise indicated by the case plan. Clients and families have a right to fully understand the treatment being offered, as indicated by an informed consent, and to receive services in language they understand. They will be afforded opportunities to attend and participate in periodic reviews of treatment and participate in necessary revisions of their treatment plan. Clients are fully informed on discharge plans and recommendations for follow-up services. Treatment plans will ensure that clients receive treatment within the least restrictive setting possible, and that an adequate number of competent, qualified and experienced professional staff will be provided to supervise and implement humane treatment regardless of the source(s) of financial support for services.

*Clients and their families have the right to request the opinion of outside

consultants at their expense, or to request a case review of their individual treatment plan, but AzCA reserves the right to prescribe a treatment program it considers appropriate for the client. Clients may request a referral to services not provided by this agency as well as referrals to other providers of behavioral health services.

*Clients have a right to be free from unnecessary or excessive medication. Parents/guardians must give consent prior to the use of medications on minor children. Medications may not be used for punishment, for the convenience of staff, as a substitute for treatment services nor in amounts that interfere in the treatment program. The client and family or guardian will be given information on his or her right, to the extent permitted by law, to refuse the specific medications or treatment. Under no circumstances will psychosurgery, electro-convulsive therapy, mechanical restraint or seclusion be utilized.

GROUP CARE:

*Residents and children in foster care have a right to privately communicate with family and friends, through the mail without restriction, to communicate with family via phone and through regular visits with family at AzCA or within their own home as agreed upon in the treatment plan. Any restrictions to the above, and the specific treatment purposes, will be determined and documented by the clinical or medical director. No such restriction will be placed in effect without adequate discussion and participation with the client/family involved. Restrictions will be included in the treatment plan, will be fully explained to the client/family, and will be reviewed/evaluated no less than weekly, for therapeutic effectiveness.

*Resident and foster child privacy also extends to financial affairs and personal hygiene. Any restrictions of these rights are handled the same as private communications listed above.

*Residents have the right to privacy which includes living space which is adequate to provide for their own private and personal space even when rooms are shared, and space for their personal belongings to be stored and displayed, (as well as storage space on the premises capable of being locked). Staff respect clients' privacy by knocking on the child's door before entering.

*Residents have the right to be housed with individuals of similar chronological or developmental age and activity level unless specific reasons are noted in the treatment plan.

*All residential clients, including children in foster care, have the right to receive emergency medical or dental care, routine and preventative medical, vision, behavioral health, dental, rehabilitative care and family planning as needed. However, AzCA does not assume responsibility for payment of medical expenses. Clients who are wards of the court usually have medical expenses covered through various state programs. In instances where clients are residents at AzCA through private agreement with the family, the family is expected to cover the expenses of medical coverage and to take primary responsibility for obtaining needed medical and dental care for their children.

*When in the judgment of a physician, a client is restricted to bed rest, or home rest, the physician's order is reviewed at least every three days.

*Residents shall not be forced to work other than to do normal chores that are part

of daily living. When residents do work, it shall be included in their treatment plan and they shall receive appropriate wages for work done. Agency maintenance/housekeeping chores, other than their own living space, shall not be dependent upon client labor without compensation.

*Clients, including foster children, have the right to participate in developing their own spirituality including religious freedom and practice, without compulsion, in accordance to their preference. Clients in residential and foster care who want pastoral services have the right to have access to them.

*Clients have the right to meals that meet their nutritional needs and consider their preferences.

*Clients have the right to be informed of the requirements for discharge or transfer to a less restrictive environment and to receive, at the time of discharge or transfer, recommendations for treatment after discharge.

FOSTER CARE:

*Children in foster care have the right to appropriate educational services and the right to develop in their own ethno cultural environment, to the extent possible. Children in foster care shall participate in recreational skill building and age-appropriate social opportunities.

*AzCA respects the rights of the family of origin including the right to participate in the case plan, unless otherwise indicated, and the right to referral for services to help address the conditions that led to the foster placement of the child.

*Foster parents shall be provided information that specifies how AzCA sees the role of the family and how the agency will assist the foster family in serving children. This information shall pertain to the support, training, remuneration rates and assistance that the family will receive from the agency. Foster parents will participate in a development plan that will outline training that will meet their needs.

*Foster parents shall be made aware of their status as a team member for the children in their home. Foster parents shall be provided information regarding the identified needs and background of the children placed in their homes and shall be involved in the development of service/treatment plans, the process of setting goals and assessing progress for children placed in the home.

GRIEVANCE PROCEDURE:

Step One: Within 2 working days of receiving a request from a client to use the grievance procedure the therapist or other staff receiving the complaint will document the complaint on the Incident Report Form and attach any additional information from the client. At this time, the client is also given another copy of this grievance procedure.

The Incident Report Process is implemented: the client and those named in the grievance must meet within 5 working days of having initiated the Incident Report to attempt resolution. If resolved, no further action is needed. Documentation of such will be entered

on/attached to the Incident Report, entered in the record and given to the client.

If the client is not satisfied with the results of step one, he/she will request within 5 working days of the previous meeting, to proceed to step two. The request is addressed to the program Supervisor or Director.

Step Two: Within 7 working days of the client's request, the Program Director/Supervisor will review the grievance and respond, in writing, to the client with a copy to the case record. If the client is not satisfied with the results of step two, he/she will request, in writing, within 5 working days of receipt of the above letter to proceed to step three. The request is addressed to the Chief Operating Officer.

Step Three: Within 10 working days of receipt of the client's request, the Chief Operating Officer will review the grievance and respond, in writing, to the client with a copy to the case record. If the client is not satisfied with step three, he/she will request in writing to proceed to step four. The request is directed to the Chief Executive Officer.

Step four: Within 14 working days of receipt of the client's request, the Chief Executive Officer will review and address the complaint. The findings of the Chief Executive Officer are final and will be communicated to the client in writing.*

The Chief Operating Officer will summarize and present all step 3 and step 4 aggregate data to the Professional Staff Executive Committee, monthly, and to the Program Committee of the Board of Directors annually for their review and recommendations.

CONFLICT OF CARE

When there are differences in Treatment Planning processes, procedures, Admission, Discharge and Transfer issues and other choices among the Clinical Team itself, or between the guardian, family members, referral source or client and the treatment team the conflict is addressed to the appropriate Program Director. If the issue is not resolved at the Program Director level, it will be sent to the Regional Director. If the issue is not resolved at the Regional Director level, it will be sent to the Professional Staff Executive Committee for review. The decision at this level is final. Each client has the right to request the opinion of a consultant at his or her expense.

* Grievances may also be addressed to the following and/or any other funding source related to their service including the local Behavioral Health Authority (see attached):

Department of Behavioral Health Services, Office of Licensing

150 N. 18th Ave. Suite 410, Phoenix , AZ 85007
Telephone (602) 364-2595 fax: (602) 364-4801

Arizona Office of Behavioral Health

150 N. 18th Avenue, Suite 200, Phoenix, Arizona 85007
Telephone: 602-364-4558

Arizona Department of Behavioral Health Human Rights Advocate

150 N. 18th Avenue, Suite 210, Phoenix, Arizona 85007
Telephone: 800-421-2124 or (602) 364-4575

**Arizona Department of Economic Security
Child Protective Services Hotline**

PO Box 44240
Phoenix, AZ 85064-4240
Telephone: 888-767-2445

**Arizona Department of Economic Security
Adult Protective Services Hotline**

4520 N. Central Ave., Suite 410
Phoenix, AZ 85012
Telephone: 888-767-2385

**Arizona Department of Economic Security
Office of Licensing, Certification and Regulation**

P.O. Box 6123 Site 076A, Phoenix, AZ 85005
Telephone: (602) 495-1308

**Arizona Department of Economic Security, Division of Community Services
Administration**

1789 West Jefferson\3rd Floor, NW
P.O. Box 6123
Phoenix, AZ 85005
Telephone: (602) 542-6600 Telephone: (800) 357-3486 Fax: (602) 542-6655

Administrative Office of the Courts

Juvenile Services Division 530
Supreme Court of Arizona
1501 West Washington Street, Phoenix, AZ 85007-3327
Telephone: (602) 542-9443

Arizona Center for Disability Law:

Phoenix:

3839 North Third Street, Ste. 209
Phoenix, AZ 85012
(602) 274-6287 (Voice or TTY)
800-922-1447 (Voice or TTY)
FAX: (602) 274-6779

Tucson:

100 North Stone Ave., Ste. 305
Tucson, AZ 85701
(520) 327-9547 (Voice or TTY)
800-927-2260 (Voice or TTY)
FAX: (520) 884-0992

FURTHER INFORMATION:

Clients have the right to review the following information at the agency or the Department of Behavioral Health Services: Arizona Administrative Code for Health Services, Chapter 20; the most recent inspection report from the Department of Health Services; any plan of correction in effect; the most recent inspection report and any other plan of correction in effect as required by any accrediting body of the agency.

For more information of your rights and responsibilities, you may want to review the Consumer Bill of Rights and Responsibilities developed by the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry.

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The Regional Behavioral Health Authority for your service:

I (We)_____ have read and been fully informed of these Client Rights including the Client's Grievance Procedure at Arizona's Children Association.

Client Signature

Date

Parent/Legal Guardian Signature

Date

Parent/Legal Guardian Signature

Date

Legal Guardian/Referral Source Signature

Date

AzCA Witness Signature

Date

Approved by Statewide FC 7-23-04 P/P update: ltr 10/21/05 update 1/23/06

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Navajo Behavioral Health

Dilkon Site
PO Box 7072 Teesto CPU
Winslow, AZ 86047
(928) 657-8010

Navajo RBHA

Window Rock Site
PO Drawer 709
Window Rock, AZ 86515
(928) 871-6877

Navajo Behavioral Health

Fort Defiance Site
PO Box 1490
Fort Defiance, AZ 86054
(928) 729-4349

Navajo Behavioral Health

Kayenta Site
PO Box 487
Kayenta, AZ 86044
(928) 697-5576

Gila River Health Care Corporation

Regional Behavioral Health Authority
PO Box 38
Sacaton, AZ 85247
(602) 562-3321

Pascua Yaqui Behavioral Health

7490 S. Camino De Oeste
Tucson, AZ 85746
(520) 879-6063

Navajo RBHA

Tuba City Site
PO Box 1529
Tuba City, AZ 86045
(928) 283-3347

Navajo Behavioral Health

Chinle Site
PO Box 777
Chinle, AZ 86503
(928) 674-2197

ValueOptions

444 N. 44th St. Suite 400
Phoenix, AZ 85008
1-800-564-5465 or (602) 914-5809 (tty)

Community Partnership of Southern Arizona (CPSA)

4575 E. Broadway
Tucson, AZ 85711
1-800 959-1063 or (520) 325-4268

Northern Arizona Behavioral Health Authority (NARBHA)

1300 S. Yale St.
Flagstaff, AZ 86001
1-800-640-2123 or (928) 774-7128

Cenpatico Behavioral Health of Arizona

1501 West Fountainhead Corporate Park, Suite 295
Tempe, AZ 85282
(866) 495-6738